

REMARKS/ARGUMENTS

Claims 1, 3-7, 9-19, 21-23, 25-27, 29-34, 36-41 and 43-53 were previously pending. As noted above, no claims have been amended, no claims have been canceled, and no claims have been added. Thus, claims 1, 3-7, 9-19, 21-23, 25-27, 29-34, 36-41 and 43-53 remain pending in this application.

Applicants respectfully request reconsideration of this application based on the following remarks.

Claim Rejections – 35 USC § 103

Claims 1-7, 9-11, 13-19, 21-23, 35-27, 29-32, 34, 36-41, 43 and 45-53 are rejected under 35 USC § 103(a) as being obvious over Kim (US Published Patent Appln. No. 2003/0078061) in view of Akiyama (US Published Patent Appln. No. 2002/0001386). Further, claims 12, 31 and 44 are rejected under 35 USC § 103(a) as being obvious over Kim in view of Akiyama and further in view of McClellan (US Published Patent Appln. No. 2004/0008794). Applicants respectfully traverse these rejections for at least the followings reasons.

To establish a *prima facie* case of obviousness, all of the claimed features must be taught or suggested by the references and there must be some suggestion or motivation, in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *See, e.g., KSR International Co., v. Teleflex Inc.*, No. 04-1350, (US, April 30, 2007).

Independent claims 1, 17, 34 and 47 recite in part, “the first and second wireless principles are different from each other.”

The Examiner asserts that “the first and second wireless principles are different from each other” is taught by Kim and cites, Kim paragraphs [0033] as support. However, paragraph [0033] only describes a traffic and control channel. Kim does not mention anywhere a separate wireless principle for the traffic and control channel. Further, Kim, paragraph [0053] only mentions “TDMA.” It does not mention anywhere a separate wireless principle for the traffic and control channels. Moreover, Kim describes the control (SSCH) and the data (CTBCH) as a time multiplexed wireless principle (Fig. 11 and paragraph [0054]). Thus, Kim is describing the two channels as having the same wireless principle (e.g. TDMA). Additionally, as noted in the Specification, in paragraph [0024], “communication principles of the link 36 [second principle] preclude use of the same communication receiver in the mobile station as is used for

communicating with the NOC 12 [first principle].” As such, Kim does not describe or suggest a first and second receiver utilizing *different wireless principles* for the multimedia stream (data) and control links.

The additions of Akiyama and/or McClellan fail to cure the above discussed deficiency in Kim. Specifically, both Akiyama and McClellan are silent with respect to, “the first and second wireless principles are different from each other,” as recited.

Further, as claims 3-7, 9-16, 18, 19, 21-23, 25-27, 29-33, 36-41, 43-46 and 48-53 depend either directly or indirectly from one of independent claims 1, 17, 34 and 47, respectively, the claims are allowable for at least the same reasons as discussed above.

Further, each of claims 3-7, 9-16, 18, 19, 21-23, 25-27, 29-33, 36-41, 43-46 and 48-53 separately recites a combination of subject matter that is not disclosed or suggested by any combination of the cited references.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 3-7, 9-19, 21-23, 25-27, 29-34, 36-41 and 43-53 under 35 USC § 103(a) as being obvious over Kim in view of Akiyama and/or McClellan.

CONCLUSION

In light of these remarks, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

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Respectfully submitted,

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